



General Assembly

Amendment

January Session, 2021

LCO No. 7411



Offered by:
SEN. SOMERS, 18th Dist.

To: Subst. House Bill No. 6423

File No. 431

Cal. No. 320

(As Amended)

"AN ACT CONCERNING IMMUNIZATIONS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 10-204a of the general statutes are repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) Each local or regional board of education, or similar body
6 governing a nonpublic school or schools, shall require each child to be
7 protected by adequate immunization against [diphtheria, pertussis,
8 tetanus,] poliomyelitis, measles, mumps, rubella, [hemophilus]
9 haemophilus influenzae type B and any other vaccine required by the
10 schedule for active immunization adopted pursuant to section 19a-7f
11 before being permitted to enroll in any program operated by a public or
12 nonpublic school under its jurisdiction. Before being permitted to enter
13 seventh grade, a child shall receive a second immunization against
14 measles. Any such child who (1) presents a certificate from a physician,

15 physician assistant, advanced practice registered nurse or local health
16 agency stating that initial immunizations have been given to such child
17 and additional immunizations are in process (A) under guidelines and
18 schedules specified by the Commissioner of Public Health, or (B) in the
19 case of a child enrolled in a preschool program or other prekindergarten
20 program who, prior to the effective date of this section, was exempt
21 from the appropriate provisions of this section upon presentation of a
22 statement that such immunizations would be contrary to the religious
23 beliefs of such child or the parents or guardian of such child, as such
24 additional immunizations are recommended, in a written declaration,
25 in a form prescribed by the Commissioner of Public Health, for such
26 child by a physician, a physician assistant or an advanced practice
27 registered nurse; or (2) presents a certificate, in a form prescribed by the
28 commissioner pursuant to section 7 of this act, from a physician,
29 physician assistant or advanced practice registered nurse stating that in
30 the opinion of such physician, physician assistant or advanced practice
31 registered nurse such immunization is medically contraindicated
32 because of the physical condition of such child; [or (3) presents a
33 statement from the parents or guardian of such child that such
34 immunization would be contrary to the religious beliefs of such child or
35 the parents or guardian of such child, which statement shall be
36 acknowledged, in accordance with the provisions of sections 1-32, 1-34
37 and 1-35, by (A) a judge of a court of record or a family support
38 magistrate, (B) a clerk or deputy clerk of a court having a seal, (C) a town
39 clerk, (D) a notary public, (E) a justice of the peace, (F) an attorney
40 admitted to the bar of this state, or (G) notwithstanding any provision
41 of chapter 6, a school nurse;] or [(4)] (3) in the case of measles, mumps
42 or rubella, presents a certificate from a physician, physician assistant or
43 advanced practice registered nurse or from the director of health in such
44 child's present or previous town of residence, stating that the child has
45 had a confirmed case of such disease; or [(5)] (4) in the case of
46 [hemophilus] haemophilus influenzae type B has passed [his] such
47 child's fifth birthday.]; or (6) in the case of pertussis, has passed his sixth
48 birthday, shall be exempt from the appropriate provisions of this
49 section. If the parents or guardians of any child are unable to pay for

50 such immunizations, the expense of such immunizations shall, on the
51 recommendations of such board of education, be paid by the town.
52 Before being permitted to enter seventh grade, the parents or guardian
53 of any child who is exempt on religious grounds from the immunization
54 requirements of this section, pursuant to subdivision (3) of this
55 subsection, shall present to such school a statement that such
56 immunization requirements are contrary to the religious beliefs of such
57 child or the parents or guardian of such child, which statement shall be
58 acknowledged, in accordance with the provisions of sections 1-32, 1-34
59 and 1-35, by (A) a judge of a court of record or a family support
60 magistrate, (B) a clerk or deputy clerk of a court having a seal, (C) a town
61 clerk, (D) a notary public, (E) a justice of the peace, (F) an attorney
62 admitted to the bar of this state, or (G) notwithstanding any provision
63 of chapter 6, a school nurse.] The statement described in subparagraph
64 (B) of subdivision (1) of this subsection shall be acknowledged, in
65 accordance with the provisions of sections 1-32, 1-34 and 1-35, by a judge
66 of a court of record or a family support magistrate, a clerk or deputy
67 clerk of a court having a seal, a town clerk, a notary public, a justice of
68 the peace, an attorney admitted to the bar of this state, or
69 notwithstanding any provision of chapter 6, a school nurse.

70 (b) The immunization requirements provided for in subsection (a) of
71 this section shall not apply to any child who is enrolled in kindergarten
72 through twelfth grade on or before the effective date of this section if
73 such child presented a statement, prior to the effective date of this
74 section, from the parents or guardian of such child that such
75 immunization is contrary to the religious beliefs of such child or the
76 parents or guardian of such child, and such statement was
77 acknowledged, in accordance with the provisions of sections 1-32, 1-34
78 and 1-35, by (1) a judge of a court of record or a family support
79 magistrate, (2) a clerk or deputy clerk of a court having a seal, (3) a town
80 clerk, (4) a notary public, (5) a justice of the peace, (6) an attorney
81 admitted to the bar of this state, or (7) notwithstanding any provision of
82 chapter 6, a school nurse.

83 (c) Any child who is enrolled in a preschool program or other

84 prekindergarten program prior to the effective date of this section who
85 presented a statement, prior to the effective date of this section, from the
86 parents or guardian of such child that the immunization is contrary to
87 the religious beliefs of such child or the parents or guardian of such
88 child, which statement was acknowledged, in accordance with the
89 provisions of sections 1-32, 1-34 and 1-35, by (1) a judge of a court of
90 record or a family support magistrate, (2) a clerk or deputy clerk of a
91 court having a seal, (3) a town clerk, (4) a notary public, (5) a justice of
92 the peace, (6) an attorney admitted to the bar of this state, or (7)
93 notwithstanding any provision of chapter 6, a school nurse, but did not
94 present a written declaration from a physician, a physician assistant or
95 an advanced practice registered nurse stating that additional
96 immunizations are in process as recommended by such physician,
97 physician assistant or advanced practice registered nurse, rather than as
98 recommended under guidelines and schedules specified by the
99 Commissioner of Public Health, shall comply with the immunization
100 requirements provided for in subparagraph (A) of subdivision (1) of
101 subsection (a) of this section on or before September 1, 2022, or not later
102 than fourteen days after transferring to a program operated by a public
103 or nonpublic school under the jurisdiction of a local or regional board of
104 education or similar body governing a nonpublic school or schools,
105 whichever is later.

106 (d) If the parents or guardian of any child are unable to pay for any
107 immunization required by subsection (a) of this section, the expense of
108 such immunization shall, on the recommendation of such child's local
109 or regional board of education, or similar body governing a nonpublic
110 school or schools, be paid by the town.

111 [(b)] (e) The definitions of adequate immunization shall reflect the
112 schedule for active immunization adopted pursuant to section 19a-7f
113 and be established by regulation adopted in accordance with the
114 provisions of chapter 54 by the Commissioner of Public Health, who
115 shall also be responsible for providing procedures under which [said]
116 such boards and [said] such similar governing bodies shall collect and
117 report immunization data on each child to the Department of Public

118 Health for (1) compilation and analysis by [said] the department, and
119 (2) release by the department of annual immunization rates for each
120 public and nonpublic school in the state, provided such immunization
121 data may not contain information that identifies a specific individual.

122 [(c)] (f) The Commissioner of Public Health may issue a temporary
123 waiver to the schedule for active immunization for any vaccine if the
124 National Centers for Disease Control and Prevention recognizes a
125 nation-wide shortage of supply for such vaccine.

126 Sec. 2. Section 19a-25 of the general statutes is repealed and the
127 following is substituted in lieu thereof (*Effective from passage*):

128 (a) All information, records of interviews, written reports, statements,
129 notes, memoranda or other data, including personal data as defined in
130 subdivision (9) of section 4-190, procured by: [the] (1) The Department
131 of Public Health, by staff committees of facilities accredited by the
132 Department of Public Health or the maternity mortality review
133 committee, established pursuant to section 19a-59i, in connection with
134 studies of morbidity and mortality conducted by the Department of
135 Public Health, such staff committees or the maternal mortality review
136 committee, or carried on by said department, such staff committees or
137 the maternal mortality review committee jointly with other persons,
138 agencies or organizations, [or procured by] (2) the directors of health of
139 towns, cities or boroughs or the Department of Public Health pursuant
140 to section 19a-215, or [procured by] (3) such other persons, agencies or
141 organizations, for the purpose of reducing the morbidity or mortality
142 from any cause or condition, shall be confidential and shall be used
143 solely for the purposes of medical or scientific research and, for
144 information obtained pursuant to section 19a-215, disease prevention
145 and control by the local director of health and the Department of Public
146 Health. Such information, records, reports, statements, notes,
147 memoranda or other data shall not be admissible as evidence in any
148 action of any kind in any court or before any other tribunal, board,
149 agency or person, nor shall it be exhibited or its contents disclosed in
150 any way, in whole or in part, by any officer or representative of the

151 Department of Public Health or of any such facility, by any person
152 participating in such a research project or by any other person, except
153 as may be necessary for the purpose of furthering the research project to
154 which it relates.

155 (b) Notwithstanding the provisions of chapter 55, the Department of
156 Public Health may exchange personal data for the purpose of medical
157 or scientific research, with any other governmental agency or private
158 research organization; provided such state, governmental agency or
159 private research organization shall not further disclose such personal
160 data. The Commissioner of Public Health shall adopt regulations, in
161 accordance with the provisions of chapter 54, consistent with the
162 purposes of this section to establish the procedures to ensure the
163 confidentiality of such disclosures. The furnishing of such information
164 to the Department of Public Health or its authorized representative, or
165 to any other agency cooperating in such a research project, shall not
166 subject any person, hospital, [sanitarium] behavioral health facility, rest
167 home, nursing home or other person or agency furnishing such
168 information to any action for damages or other relief because of such
169 disclosure. [This section shall not be deemed to affect disclosure]

170 (c) The provisions of this section shall not affect: (1) Disclosure of
171 regular hospital and medical records made in the course of the regular
172 notation of the care and treatment of any patient, but only records or
173 notations by [such] the staff committees described in subsection (a) of
174 this section pursuant to their work, or (2) release by the Department of
175 Public Health of annual immunization rates for each public and
176 nonpublic school in the state pursuant to section 10-204a, as amended
177 by this act.

178 Sec. 3. Section 10a-155 of the general statutes is repealed and the
179 following is substituted in lieu thereof (*Effective from passage*):

180 (a) Each institution of higher education shall require each full-time or
181 matriculating student born after December 31, 1956, to provide proof of
182 adequate immunization against measles, rubella, [and on and after

183 August 1, 2010, to provide proof of adequate immunization against]
184 mumps and varicella as recommended by the national Advisory
185 Committee for Immunization Practices before permitting such student
186 to enroll in such institution. [Any such]

187 (b) Notwithstanding the provisions of subsection (a) of this section,
188 any student who (1) presents a certificate, in a form prescribed by the
189 Commissioner of Public Health pursuant to section 7 of this act, from a
190 physician, a physician assistant or an advanced practice registered nurse
191 stating that in the opinion of such physician, physician assistant or
192 advanced practice registered nurse such immunization is medically
193 contraindicated, (2) [provides] prior to the effective date of this section,
194 provided a statement that such immunization [would be] is contrary to
195 his or her religious beliefs, (3) presents a certificate from a physician, a
196 physician assistant, an advanced practice registered nurse or the
197 director of health in the student's present or previous town of residence,
198 stating that the student has had a confirmed case of such disease, (4) is
199 enrolled exclusively in a program for which students do not congregate
200 on campus for classes or to participate in institutional-sponsored events,
201 such as students enrolled in distance learning programs for
202 individualized home study or programs conducted entirely through
203 electronic media in a setting without other students present, or (5)
204 graduated from a public or nonpublic high school in this state in 1999 or
205 later and was not exempt from the measles, rubella and [on and after
206 August 1, 2010, the] mumps vaccination requirement pursuant to
207 subdivision (2) [or (3)] of subsection (a) of section 10-204a, as amended
208 by this act, shall be exempt from the appropriate provisions of this
209 section.

210 [(b)] (c) Each institution of higher education shall keep uniform
211 records of the immunizations and immunization status of each student,
212 based on the certificate of immunization or other evidence acceptable
213 pursuant to subsection [(a)] (b) of this section. The record shall be part
214 of the student's permanent record. By November first of each year, the
215 chief administrative officer of each institution of higher education shall
216 cause to be submitted to the Commissioner of Public Health, on a form

217 provided by the commissioner, a summary report of the immunization
218 status of all students enrolling in such institution.

219 Sec. 4. Subsection (a) of section 10a-155b of the general statutes is
220 repealed and the following is substituted in lieu thereof (*Effective from*
221 *passage*):

222 (a) For students who first enroll in the 2014-2015 school year, and first
223 enroll in each school year thereafter, each public or private college or
224 university in this state shall require that each student who resides in on-
225 campus housing be vaccinated against meningitis and submit evidence
226 of having received a meningococcal conjugate vaccine not more than
227 five years before enrollment as a condition of such residence. The
228 provisions of this subsection shall not apply to any such student who (1)
229 presents a certificate, in a form prescribed by the Commissioner of
230 Public Health pursuant to section 7 of this act, from a physician, an
231 advanced practice registered nurse or a physician assistant stating that,
232 in the opinion of such physician, advanced practice registered nurse or
233 physician assistant, such vaccination is medically contraindicated
234 because of the physical condition of such student, or (2) [presents] prior
235 to the effective date of this section, presented a statement that such
236 vaccination [would be] is contrary to the religious beliefs of such
237 student.

238 Sec. 5. Section 19a-79 of the general statutes is repealed and the
239 following is substituted in lieu thereof (*Effective from passage*):

240 (a) The Commissioner of Early Childhood shall adopt regulations, in
241 accordance with the provisions of chapter 54, to carry out the purposes
242 of sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-87, inclusive,
243 and to assure that child care centers and group child care homes meet
244 the health, educational and social needs of children utilizing such child
245 care centers and group child care homes. Such regulations shall (1)
246 specify that before being permitted to attend any child care center or
247 group child care home, each child shall be protected as age-appropriate
248 by adequate immunization against [diphtheria, pertussis, tetanus,]

249 poliomyelitis, measles, mumps, rubella, [hemophilus] haemophilus
250 influenzae type B and any other vaccine required by the schedule of
251 active immunization adopted pursuant to section 19a-7f, [including
252 appropriate exemptions for children for whom such immunization is
253 medically contraindicated and for children whose parent or guardian
254 objects to such immunization on religious grounds, and that any
255 objection by a parent or a guardian to immunization of a child on
256 religious grounds shall be accompanied by a statement from such parent
257 or guardian that such immunization would be contrary to the religious
258 beliefs of such child or the parent or guardian of such child, which
259 statement shall be acknowledged, in accordance with the provisions of
260 sections 1-32, 1-34 and 1-35, by (A) a judge of a court of record or a family
261 support magistrate, (B) a clerk or deputy clerk of a court having a seal,
262 (C) a town clerk, (D) a notary public, (E) a justice of the peace, or (F) an
263 attorney admitted to the bar of this state,] (2) specify conditions under
264 which child care center directors and teachers and group child care
265 home providers may administer tests to monitor glucose levels in a child
266 with diagnosed diabetes mellitus, and administer medicinal
267 preparations, including controlled drugs specified in the regulations by
268 the commissioner, to a child receiving child care services at such child
269 care center or group child care home pursuant to the written order of a
270 physician licensed to practice medicine or a dentist licensed to practice
271 dental medicine in this or another state, or an advanced practice
272 registered nurse licensed to prescribe in accordance with section 20-94a,
273 or a physician assistant licensed to prescribe in accordance with section
274 20-12d, and the written authorization of a parent or guardian of such
275 child, (3) specify that an operator of a child care center or group child
276 care home, licensed before January 1, 1986, or an operator who receives
277 a license after January 1, 1986, for a facility licensed prior to January 1,
278 1986, shall provide a minimum of thirty square feet per child of total
279 indoor usable space, free of furniture except that needed for the
280 children's purposes, exclusive of toilet rooms, bathrooms, coatrooms,
281 kitchens, halls, isolation room or other rooms used for purposes other
282 than the activities of the children, (4) specify that a child care center or
283 group child care home licensed after January 1, 1986, shall provide

284 thirty-five square feet per child of total indoor usable space, (5) establish
285 appropriate child care center staffing requirements for employees
286 certified in cardiopulmonary resuscitation by the American Red Cross,
287 the American Heart Association, the National Safety Council, American
288 Safety and Health Institute, Medic First Aid International, Inc. or an
289 organization using guidelines for cardiopulmonary resuscitation and
290 emergency cardiovascular care published by the American Heart
291 Association and International Liaison Committee on Resuscitation, (6)
292 specify that [on and after January 1, 2003,] a child care center or group
293 child care home (A) shall not deny services to a child on the basis of a
294 child's known or suspected allergy or because a child has a prescription
295 for an automatic prefilled cartridge injector or similar automatic
296 injectable equipment used to treat an allergic reaction, or for injectable
297 equipment used to administer glucagon, (B) shall, not later than three
298 weeks after such child's enrollment in such a center or home, have staff
299 trained in the use of such equipment on-site during all hours when such
300 a child is on-site, (C) shall require such child's parent or guardian to
301 provide the injector or injectable equipment and a copy of the
302 prescription for such medication and injector or injectable equipment
303 upon enrollment of such child, and (D) shall require a parent or
304 guardian enrolling such a child to replace such medication and
305 equipment prior to its expiration date, (7) specify that [on and after
306 January 1, 2005,] a child care center or group child care home (A) shall
307 not deny services to a child on the basis of a child's diagnosis of asthma
308 or because a child has a prescription for an inhalant medication to treat
309 asthma, and (B) shall, not later than three weeks after such child's
310 enrollment in such a center or home, have staff trained in the
311 administration of such medication on-site during all hours when such a
312 child is on-site, and (8) establish physical plant requirements for
313 licensed child care centers and licensed group child care homes that
314 exclusively serve school-age children. When establishing such
315 requirements, the Office of Early Childhood shall give consideration to
316 child care centers and group child care homes that are located in private
317 or public school buildings. With respect to this subdivision only, the
318 commissioner shall implement policies and procedures necessary to

319 implement the physical plant requirements established pursuant to this
320 subdivision while in the process of adopting such policies and
321 procedures in regulation form. Until replaced by policies and
322 procedures implemented pursuant to this subdivision, any physical
323 plant requirement specified in the office's regulations that is generally
324 applicable to child care centers and group child care homes shall
325 continue to be applicable to such centers and homes that exclusively
326 serve school-age children. The commissioner shall [print] post notice of
327 the intent to adopt regulations pursuant to this subdivision on the
328 eRegulations System not later than twenty days after the date of
329 implementation of such policies and procedures. Policies and
330 procedures implemented pursuant to this subdivision shall be valid
331 until the time final regulations are adopted.

332 (b) Any child who (1) presents a certificate, in a form prescribed by
333 the Commissioner of Public Health pursuant to section 7 of this act,
334 signed by a physician, a physician assistant or an advanced practice
335 registered nurse stating that, in the opinion of such physician, physician
336 assistant or advanced practice registered nurse, the immunizations
337 required pursuant to regulations adopted pursuant to subdivision (1) of
338 subsection (a) of this section are medically contraindicated, (2) in the
339 case of a child who is enrolled in kindergarten through twelfth grade,
340 presented a statement, prior to the effective date of this section, that such
341 immunizations are contrary to the religious beliefs of such child or the
342 parents or guardian of such child, or (3) in the case of a child who is
343 enrolled in a preschool program or other prekindergarten program or
344 below, (A) presented a statement, prior to the effective date of this
345 section, that such immunizations are contrary to the religious beliefs of
346 such child or the parents or guardian of such child, and (B) presents a
347 written declaration, in a form prescribed by the Commissioner of Public
348 Health, from a physician, a physician assistant or an advanced practice
349 registered nurse stating that an immunization against poliomyelitis,
350 measles, mumps, rubella, haemophilus influenzae type B and any other
351 vaccine required by the schedule of active immunization adopted
352 pursuant to section 19a-7f has been given to such child and that any

353 additional necessary immunizations of such student against
354 poliomyelitis, measles, mumps, rubella, haemophilus influenzae type B
355 and any other vaccine required by such schedule of active immunization
356 are in process under guidelines specified by the Commissioner of Public
357 Health or as recommended for the child by the physician, physician
358 assistant or advanced practice registered nurse, shall be exempt from
359 the immunization requirements set forth in such regulations. The
360 statement described in subparagraph (A) of subdivision (3) of this
361 subsection shall be acknowledged, in accordance with the provisions of
362 sections 1-32, 1-34 and 1-35, by a judge of a court of record or a family
363 support magistrate, a clerk or deputy clerk of a court having a seal, a
364 town clerk, a notary public, a justice of the peace, or an attorney
365 admitted to the bar of this state.

366 (c) Any child who is enrolled in a preschool program or other
367 prekindergarten program or below on or before the effective date of this
368 section who presented, prior to the effective date of this section, the
369 statement described in subparagraph (A) of subdivision (3) of
370 subsection (b) of this section, but did not present the written declaration
371 described in subparagraph (B) of subdivision (3) of subsection (b) of this
372 section, shall comply, on or before September 1, 2022, or not later than
373 fourteen days after applying to enroll in the child care center or group
374 child care home, whichever is later, with the immunization
375 requirements set forth in the regulations adopted pursuant to
376 subdivision (1) of subsection (a) of this section.

377 [(b)] (d) The commissioner may adopt regulations, pursuant to
378 chapter 54, to establish civil penalties of not more than one hundred
379 dollars per day for each day of violation and other disciplinary remedies
380 that may be imposed, following a contested-case hearing, upon the
381 holder of a license issued under section 19a-80 to operate a child care
382 center or group child care home or upon the holder of a license issued
383 under section 19a-87b, as amended by this act, to operate a family child
384 care home.

385 [(c)] (e) The commissioner shall exempt Montessori schools

386 accredited by the American Montessori Society or the Association
387 Montessori Internationale from any provision in regulations adopted
388 pursuant to subsection (a) of this section which sets requirements on
389 group size or child to staff ratios or the provision of cots.

390 ~~[(d)]~~ (f) Upon the declaration by the Governor of a civil preparedness
391 emergency pursuant to section 28-9 or a public health emergency
392 pursuant to section 19a-131a, the commissioner may waive the
393 provisions of any regulation adopted pursuant to this section if the
394 commissioner determines that such waiver would not endanger the life,
395 safety or health of any child. The commissioner shall prescribe the
396 duration of such waiver, provided such waiver shall not extend beyond
397 the duration of the declared emergency. The commissioner shall
398 establish the criteria by which a waiver request shall be made and the
399 conditions for which a waiver will be granted or denied. The provisions
400 of section 19a-84 shall not apply to a denial of a waiver request under
401 this subsection.

402 ~~[(e)]~~ (g) Any child care center or group child care home may provide
403 child care services to homeless children and youths, as defined in 42
404 USC 11434a, as amended from time to time, for a period not to exceed
405 ninety days without complying with any provision in regulations
406 adopted pursuant to this section relating to immunization and physical
407 examination requirements. Any child care center or group child care
408 home that provides child care services to homeless children and youths
409 at such center or home under this subsection shall maintain a record on
410 file of all homeless children and youths who have attended such center
411 or home for a period of two years after such homeless children or youths
412 are no longer receiving child care services at such center or home.

413 ~~[(f)]~~ (h) Any child care center or group child care home may provide
414 child care services to a foster child for a period not to exceed forty-five
415 days without complying with any provision in regulations adopted
416 pursuant to this section relating to immunization and physical
417 examination requirements. Any child care center or group child care
418 home that provides child care services to a foster child at such center or

419 home under this subsection shall maintain a record on file of such foster
420 child for a period of two years after such foster child is no longer
421 receiving child care services at such center or home. For purposes of this
422 subsection, "foster child" means a child who is in the care and custody
423 of the Commissioner of Children and Families and placed in a foster
424 home licensed pursuant to section 17a-114, foster home approved by a
425 child-placing agency licensed pursuant to section 17a-149, facility
426 licensed pursuant to section 17a-145 or with a relative or fictive kin
427 caregiver pursuant to section 17a-114.

428 Sec. 6. Section 19a-87b of the general statutes is repealed and the
429 following is substituted in lieu thereof (*Effective from passage*):

430 (a) No person, group of persons, association, organization,
431 corporation, institution or agency, public or private, shall maintain a
432 family child care home, as defined in section 19a-77, without a license
433 issued by the Commissioner of Early Childhood. Licensure forms shall
434 be obtained from the Office of Early Childhood. Applications for
435 licensure shall be made to the commissioner on forms provided by the
436 office and shall contain the information required by regulations adopted
437 under this section. The licensure and application forms shall contain a
438 notice that false statements made therein are punishable in accordance
439 with section 53a-157b. Applicants shall state, in writing, that they are in
440 compliance with the regulations adopted by the commissioner pursuant
441 to subsection (f) of this section. Before a family child care home license
442 is granted, the office shall make an inquiry and investigation which shall
443 include a visit and inspection of the premises for which the license is
444 requested. Any inspection conducted by the office shall include an
445 inspection for evident sources of lead poisoning. The office shall provide
446 for a chemical analysis of any paint chips found on such premises.
447 Neither the commissioner nor the commissioner's designee shall require
448 an annual inspection for homes seeking license renewal or for licensed
449 homes, except that the commissioner or the commissioner's designee
450 shall make an unannounced visit, inspection or investigation of each
451 licensed family child care home at least once every year. A licensed
452 family child care home shall not be subject to any conditions on the

453 operation of such home by local officials, other than those imposed by
454 the office pursuant to this subsection, if the home complies with all local
455 codes and ordinances applicable to single and multifamily dwellings.

456 (b) No person shall act as an assistant or substitute staff member to a
457 person or entity maintaining a family child care home, as defined in
458 section 19a-77, without an approval issued by the commissioner. Any
459 person seeking to act as an assistant or substitute staff member in a
460 family child care home shall submit an application for such approval to
461 the office. Applications for approval shall: (1) Be made to the
462 commissioner on forms provided by the office, (2) contain the
463 information required by regulations adopted under this section, and (3)
464 be accompanied by a fee of fifteen dollars. The approval application
465 forms shall contain a notice that false statements made in such form are
466 punishable in accordance with section 53a-157b.

467 (c) The commissioner, within available appropriations, shall require
468 each initial applicant or prospective employee of a family child care
469 home in a position requiring the provision of care to a child, including
470 an assistant or substitute staff member and each household member
471 who is sixteen years of age or older, to submit to comprehensive
472 background checks, including state and national criminal history
473 records checks. The criminal history records checks required pursuant
474 to this subsection shall be conducted in accordance with section 29-17a.
475 The commissioner shall also request a check of the state child abuse
476 registry established pursuant to section 17a-101k. The commissioner
477 shall notify each licensee of the provisions of this subsection. For
478 purposes of this subsection, "household member" means any person,
479 other than the person who is licensed to conduct, operate or maintain a
480 family child care home, who resides in the family child care home, such
481 as the licensee's spouse or children, tenants and any other occupant.

482 (d) An application for initial licensure pursuant to this section shall
483 be accompanied by a fee of forty dollars and such license shall be issued
484 for a term of four years. An application for renewal of a license issued
485 pursuant to this section shall be accompanied by a fee of forty dollars

486 and a certification from the licensee that any child enrolled in the family
487 child care home has received age-appropriate immunizations in
488 accordance with regulations adopted pursuant to subsection (f) of this
489 section. A license issued pursuant to this section shall be renewed for a
490 term of four years. In the case of an applicant submitting an application
491 for renewal of a license that has expired, and who has ceased operations
492 of a family child care home due to such expired license, the
493 commissioner may renew such expired license within thirty days of the
494 date of such expiration upon receipt of an application for renewal that
495 is accompanied by such fee and such certification.

496 (e) An application for initial staff approval or renewal of staff
497 approval shall be accompanied by a fee of fifteen dollars. Such
498 approvals shall be issued or renewed for a term of two years.

499 (f) The commissioner shall adopt regulations, in accordance with the
500 provisions of chapter 54, to assure that family child care homes, as
501 defined in section 19a-77, meet the health, educational and social needs
502 of children utilizing such homes. Such regulations shall ensure that the
503 family child care home is treated as a residence, and not an institutional
504 facility. Such regulations shall specify that each child be protected as
505 age-appropriate by adequate immunization against [diphtheria,
506 pertussis, tetanus,] poliomyelitis, measles, mumps, rubella,
507 [hemophilus] haemophilus influenzae type B and any other vaccine
508 required by the schedule of active immunization adopted pursuant to
509 section 19a-7f. [Such regulations shall provide appropriate exemptions
510 for children for whom such immunization is medically contraindicated
511 and for children whose parents or guardian objects to such
512 immunization on religious grounds and require that any such objection
513 be accompanied by a statement from such parents or guardian that such
514 immunization would be contrary to the religious beliefs of such child or
515 the parents or guardian of such child, which statement shall be
516 acknowledged, in accordance with the provisions of sections 1-32, 1-34
517 and 1-35, by (1) a judge of a court of record or a family support
518 magistrate, (2) a clerk or deputy clerk of a court having a seal, (3) a town
519 clerk, (4) a notary public, (5) a justice of the peace, or (6) an attorney

520 admitted to the bar of this state.] Such regulations shall also specify
521 conditions under which family child care home providers may
522 administer tests to monitor glucose levels in a child with diagnosed
523 diabetes mellitus, and administer medicinal preparations, including
524 controlled drugs specified in the regulations by the commissioner, to a
525 child receiving child care services at a family child care home pursuant
526 to a written order of a physician licensed to practice medicine in this or
527 another state, an advanced practice registered nurse licensed to
528 prescribe in accordance with section 20-94a or a physician assistant
529 licensed to prescribe in accordance with section 20-12d, and the written
530 authorization of a parent or guardian of such child. Such regulations
531 shall specify appropriate standards for extended care and intermittent
532 short-term overnight care. The commissioner shall inform each licensee,
533 by way of a plain language summary provided not later than sixty days
534 after the regulation's effective date, of any new or changed regulations
535 adopted under this subsection with which a licensee must comply.

536 (g) Any child who (1) presents a certificate, in a form prescribed by
537 the Commissioner of Public Health pursuant to section 7 of this act,
538 signed by a physician, a physician assistant or an advanced practice
539 registered nurse stating that, in the opinion of such physician, physician
540 assistant or advanced practice registered nurse, the immunizations
541 required pursuant to regulations adopted pursuant to subsection (f) of
542 this section are medically contraindicated, (2) in the case of a child who
543 is enrolled in kindergarten through twelfth grade, presented a
544 statement, prior to the effective date of this section, that such
545 immunizations are contrary to the religious beliefs of such child or the
546 parents or guardian of such child, or (3) in the case of a child who is
547 enrolled in a preschool program or other prekindergarten program or
548 below, (A) presented a statement, prior to the effective date of this
549 section, that such immunizations are contrary to the religious beliefs of
550 such child or the parents or guardian of such child, and (B) presents a
551 written declaration, in a form prescribed by the Commissioner of Public
552 Health, from a physician, physician assistant or advanced practice
553 registered nurse stating that an immunization against poliomyelitis,

554 measles, mumps, rubella, haemophilus influenzae type B and any other
555 vaccine required by the schedule of active immunization adopted
556 pursuant to section 19a-7f has been given to such child and that any
557 additional necessary immunizations of such student against
558 poliomyelitis, measles, mumps, rubella, haemophilus influenzae type B
559 and any other vaccine required by such schedule of active immunization
560 are in process under guidelines specified by the Commissioner of Public
561 Health or as recommended for the child by the physician, physician
562 assistant or advanced practice registered nurse, shall be exempt from
563 the immunization requirements set forth in such regulations. The
564 statement described in subparagraph (A) of subdivision (3) of this
565 subsection shall be acknowledged, in accordance with the provisions of
566 sections 1-32, 1-34 and 1-35, by (i) a judge of a court of record or a family
567 support magistrate, (ii) a clerk or deputy clerk of a court having a seal,
568 (iii) a town clerk, (iv) a notary public, (v) a justice of the peace, or (vi) an
569 attorney admitted to the bar of this state.

570 (h) Any child who is enrolled in a preschool program or other
571 prekindergarten program or below on or before the effective date of this
572 section who presented, prior to the effective date of this section, the
573 statement described in subparagraph (A) of subdivision (3) of
574 subsection (g) of this section, but did not present the written declaration
575 described in subparagraph (B) of subdivision (3) of subsection (g) of this
576 section shall comply, on or before September 1, 2022, or not later than
577 fourteen days after applying to enroll in the family child care home,
578 whichever is later, with the immunization requirements set forth in the
579 regulations adopted pursuant to subsection (f) of this section.

580 [(g)] (i) Upon the declaration by the Governor of a civil preparedness
581 emergency pursuant to section 28-9 or a public health emergency
582 pursuant to section 19a-131a, the commissioner may waive the
583 provisions of any regulation adopted pursuant to this section if the
584 commissioner determines that such waiver would not endanger the life,
585 safety or health of any child. The commissioner shall prescribe the
586 duration of such waiver, provided such waiver shall not extend beyond
587 the duration of the declared emergency. The commissioner shall

588 establish the criteria by which a waiver request shall be made and the
589 conditions for which a waiver will be granted or denied. The provisions
590 of section 19a-84 shall not apply to a denial of a waiver request under
591 this subsection.

592 ~~[(h)]~~ (j) Any family child care home may provide child care services
593 to homeless children and youths, as defined in 42 USC 11434a, as
594 amended from time to time, for a period not to exceed ninety days
595 without complying with any provision in regulations adopted pursuant
596 to this section relating to immunization and physical examination
597 requirements. Any family child care home that provides child care
598 services to homeless children and youths at such home under this
599 subsection shall maintain a record on file of all homeless children and
600 youths who have attended such home for a period of two years after
601 such homeless children or youths are no longer receiving child care
602 services at such home.

603 ~~[(i)]~~ (k) Any family child care home may provide child care services
604 to a foster child for a period not to exceed forty-five days without
605 complying with any provision in regulations adopted pursuant to this
606 section relating to immunization and physical examination
607 requirements. Any family child care home that provides child care
608 services to a foster child at such home under this subsection shall
609 maintain a record on file of such foster child for a period of two years
610 after such foster child is no longer receiving child care services at such
611 home. For purposes of this subsection, "foster child" means a child who
612 is in the care and custody of the Commissioner of Children and Families
613 and placed in a foster home licensed pursuant to section 17a-114, foster
614 home approved by a child-placing agency licensed pursuant to section
615 17a-149, facility licensed pursuant to section 17a-145 or with a relative
616 or fictive kin caregiver pursuant to section 17a-114.

617 Sec. 7. (NEW) (*Effective from passage*) On or before October 1, 2021, the
618 Commissioner of Public Health shall develop and make available on the
619 Internet web site of the Department of Public Health a certificate for use
620 by a physician, physician assistant or advanced practice registered

621 nurse stating that, in the opinion of such physician, physician assistant
622 or advanced practice registered nurse, a vaccination required by the
623 general statutes is medically contraindicated for a person because of the
624 physical condition of such person. The certificate shall include (1)
625 definitions of the terms "contraindication" and "precaution", (2) a list of
626 contraindications and precautions recognized by the National Centers
627 for Disease Control and Prevention for each of the statutorily required
628 vaccinations, from which the physician, physician assistant or advanced
629 practice registered nurse may select the relevant contraindication or
630 precaution on behalf of such person, (3) a section in which the physician,
631 physician assistant or advanced practice registered nurse may record a
632 contraindication or precaution that is not recognized by the National
633 Centers for Disease Control and Prevention, but in his or her discretion,
634 results in the vaccination being medically contraindicated, including,
635 but not limited to, any autoimmune disorder, family history of any
636 autoimmune disorder, family history of any reaction to a vaccination,
637 genetic predisposition to any reaction to a vaccination as determined
638 through genetic testing and a previous documented reaction of a person
639 that is correlated to a vaccination, (4) a section in which the physician,
640 physician assistant or advanced practice registered nurse may include a
641 written explanation for the exemption from any statutorily required
642 vaccinations, (5) a section requiring the signature of the physician,
643 physician assistant or advanced practice registered nurse, (6) a
644 requirement that the physician, physician assistant or advanced practice
645 registered nurse attach such person's most current immunization
646 record, and (7) a synopsis of the grounds for any order of quarantine or
647 isolation pursuant to section 19a-131b of the general statutes.

648 Sec. 8. (NEW) (*Effective from passage*) (a) There is established an
649 Advisory Committee on Medically Contraindicated Vaccinations within
650 the Department of Public Health for the purpose of advising the
651 Commissioner of Public Health on issues concerning exemptions from
652 state or federal requirements for vaccinations that result from a
653 physician, physician assistant or advanced practice registered nurse
654 stating that a vaccination is medically contraindicated for a person due

655 to the medical condition of such person. Said advisory committee shall
656 not be responsible for confirming or denying any determination by a
657 physician, physician assistant or advanced practice registered nurse that
658 a vaccination is medically contraindicated for a specific individual. In
659 order to carry out its duties, the advisory committee shall (1) have access
660 to the childhood immunization registry established by the department
661 pursuant to section 19a-7h of the general statutes, (2) evaluate the
662 process used by the department in collecting data concerning
663 exemptions resulting from a vaccination being medically
664 contraindicated and whether the department should have any oversight
665 over such exemptions, (3) examine whether enrollment of an
666 unvaccinated child into a program operated by a public or nonpublic
667 school, institution of higher education, child care center or group child
668 care home should be conditioned upon the child meeting certain
669 criteria, (4) calculate the ratio of school nurses to students in each public
670 and nonpublic school in the state and the funding issues surrounding
671 such ratio, (5) assess whether immunizations should be required more
672 frequently than prior to enrollment into a program operated by a public
673 or nonpublic school and prior to entering seventh grade, and (6)
674 determine whether (A) there are any discrepancies in the issuance of
675 certificates stating that a vaccine is medically contraindicated, and (B) to
676 recommend continuing education of physicians, physician assistants or
677 advanced practice registered nurses in vaccine contraindications and
678 precautions. All information obtained by the advisory committee from
679 such registry shall be confidential pursuant to section 19a-25 of the
680 general statutes, as amended by this act.

681 (b) The advisory committee shall consist of the following members:

682 (1) Two appointed by the speaker of the House of Representatives,
683 one of whom shall be a physician licensed pursuant to chapter 370 of the
684 general statutes who is a pediatrician, and one of whom shall be a
685 member of the public;

686 (2) Two appointed by the president pro tempore of the Senate, one of
687 whom shall be a physician licensed pursuant to chapter 370 of the

688 general statutes who has expertise in the efficacy of vaccines, and one of
689 whom shall be a member of the public;

690 (3) One appointed by the majority leader of the House of
691 Representatives, who shall be a school nurse;

692 (4) One appointed by the majority leader of the Senate, who shall be
693 a physician assistant licensed pursuant to chapter 370 of the general
694 statutes who has experience in the administration of vaccines;

695 (5) One appointed by the minority leader of the House of
696 Representatives, who shall be an advanced practice registered nurse
697 licensed pursuant to chapter 378 of the general statutes who has
698 experience in the administration of vaccines;

699 (6) One appointed by the minority leader of the Senate, who shall be
700 a representative of the Connecticut Chapter of the American Academy
701 of Pediatrics;

702 (7) The Commissioner of Public Health, or the commissioner's
703 designee;

704 (8) The Commissioner of Education, or the commissioner's designee;
705 and

706 (9) The Commissioner of Early Childhood, or the commissioner's
707 designee.

708 (c) The members of the advisory committee shall elect a chairperson
709 of the advisory committee from among its members. Such chairperson
710 shall schedule the first meeting of the advisory committee, which shall
711 be held not later than October 1, 2021. The advisory committee shall
712 meet not less than biannually. On or before January 1, 2022, and
713 annually thereafter, the committee shall report, in accordance with the
714 provisions of section 11-4a of the general statutes, on its activities and
715 findings to the joint standing committee of the General Assembly
716 having cognizance of matters relating to public health.

717 Sec. 9. (NEW) (*Effective from passage*) The Department of Public
718 Health, in collaboration with the state Department of Education and the
719 Office of Early Childhood, shall evaluate all of the data collected by said
720 departments concerning exemptions from immunization requirements.
721 Not later than January 1, 2022, and annually thereafter, the
722 Commissioners of Public Health, Education and Early Childhood shall
723 jointly report, in accordance with the provisions of section 11-4a of the
724 general statutes, to the joint standing committees of the General
725 Assembly having cognizance of matters relating to public health and
726 education regarding the evaluation of such data.

727 Sec. 10. Subsection (a) of section 38a-492r of the general statutes is
728 repealed and the following is substituted in lieu thereof (*Effective January*
729 *1, 2022*):

730 (a) Each individual health insurance policy providing coverage of the
731 type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469
732 delivered, issued for delivery, renewed, amended or continued in this
733 state that provides coverage for prescription drugs shall provide
734 [coverage for] (1) coverage for immunizations recommended by the
735 American Academy of Pediatrics, American Academy of Family
736 Physicians and the American College of Obstetricians and
737 Gynecologists, and (2) with respect to immunizations that have in effect
738 a recommendation from the Advisory Committee on Immunization
739 Practices of the Centers for Disease Control and Prevention with respect
740 to the individual involved, coverage for such immunizations and at least
741 a twenty-minute consultation between such individual and a health care
742 provider authorized to administer such immunizations to such
743 individual.

744 Sec. 11. Subsection (a) of section 38a-518r of the general statutes is
745 repealed and the following is substituted in lieu thereof (*Effective January*
746 *1, 2022*):

747 (a) Each group health insurance policy providing coverage of the type
748 specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469

749 delivered, issued for delivery, renewed, amended or continued in this
 750 state that provides coverage for prescription drugs shall provide
 751 [coverage for] (1) coverage for immunizations recommended by the
 752 American Academy of Pediatrics, American Academy of Family
 753 Physicians and the American College of Obstetricians and
 754 Gynecologists, and (2) with respect to immunizations that have in effect
 755 a recommendation from the Advisory Committee on Immunization
 756 Practices of the Centers for Disease Control and Prevention with respect
 757 to the individual involved, coverage for such immunizations and at least
 758 a twenty-minute consultation between such individual and a health care
 759 provider authorized to administer such immunizations to such
 760 individual.

761 Sec. 12. (NEW) (*Effective from passage*) Notwithstanding any
 762 provisions of sections 10-204a, 10a-155, 10a-155b, 19a-79a and 19a-87b of
 763 the general statutes, as amended by this act, no child or student shall be
 764 required to receive a multi-dose vaccine in order to be enrolled in a
 765 public or nonpublic school, institution of higher education, public or
 766 private college, child care center, group child care home or family child
 767 care home."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-204a
Sec. 2	<i>from passage</i>	19a-25
Sec. 3	<i>from passage</i>	10a-155
Sec. 4	<i>from passage</i>	10a-155b(a)
Sec. 5	<i>from passage</i>	19a-79
Sec. 6	<i>from passage</i>	19a-87b
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>January 1, 2022</i>	38a-492r(a)
Sec. 11	<i>January 1, 2022</i>	38a-518r(a)
Sec. 12	<i>from passage</i>	New section